CLCON No. 251 of 2006

**Hon. P.C. Pant, J.**

Heard learned counsel for the petitioners.

This contempt petition has been moved complaining disobedience of this Court's order dated 06.07.2006, passed in First Appeal No. 12 of 2003, whereby it is directed that the appeal is decided in terms of the compromise filed by the parties.

Under the Code of Civil Procedure, the First Appeal stood decided and a decree is passed by this Court superceding the decree passed by the trial court. The decree holder may get the decree executed through the trial court. In the circumstances, it is not necessary to issue notices in the present case under the Contempt of Courts Act, 1971.

The Contempt Petition is disposed of with the observation that the petitioners may seek execution of the decree passed by this Court.

(**P.C. Pant, J.)**

Dt. 23.08.2006
HN